

# **SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL**

**JANUARY 5, 2015**

**KENDALL-DEAN SCHOOL AUDITORIUM**

**7:00 P.M.**

The meeting was called to order at 7:00 P.M. and began with the prayer and the pledge to the flag. Council members present were Mr. Alter, Ms. Alves, Mrs. Nadeau and Mr. Zwolenski. Mr. Boucher was detained and arrived a short time later. Also in attendance were Town Administrator Hamilton and Town Solicitor Lombardi.

## **WEBSITE PRESENTATION BY VIRTUAL TOWNS & SCHOOLS**

Mr. Bill Letsky, of Virtual Towns & Schools, presented information about this company. It serves town, K-12 schools and municipal departments and provides design, development, training, hosting and support of a website. There is a one-time cost of \$7,500, which could be spread out over one, two or three years, to build out a website, hold department meetings and train everyone. There is an annual cost of \$2,400 for providing ongoing hosting support and maintenance upgrades.

## **AFFORDABLE CARE ACT COMPLIANCE**

Mr. Michael Komorowski of ADP, the town's payroll company, explained that there are many mandatory reporting requirements associated with the Affordable Care Act. All companies must keep track of their employees during the time period of fiscal year 2015 and report it to the federal government.

**Finance Director Brenda MacDonald is requesting approval of \$4,320 to purchase the needed upgrade to the ADP system in order to track and report the required federal documents, a lengthy procedure.**

**(Mr. Boucher arrived at 7:31 P.M.)**

**MOTION by Mr. Alter, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to act on the recommendation of the town administration to implement the plan to upgrade the ADP system as soon as possible at a cost of \$4.00 per employee per month with a waiver of the one-time set-up fee of \$1,500.**

**MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to authorize the Town Administrator to sign the agreement.**

## **EXECUTIVE SESSION**

**Attorney Stephen Archambault was scheduled to be interviewed for the position of either Town Solicitor or Assistant Town Solicitor and he opted to meet in executive session.**

**MOTION by Mr. Boucher, seconded by Ms. Alves, and voted unanimously on a roll call vote to enter into executive session at 8:00 P.M. pursuant to RIGL 42-46-5(A)(1) Any discussion of job performance of a person in order to interview a candidate for the**

**position of Town Solicitor or Assistant Town Solicitor.**

**MOTION by Mr. Zwolenski, seconded by Mr. Alter, and voted unanimously on a roll call vote to come out of executive session at 8:41 P.M. and to seal the minutes. No motions were made and no votes were taken.**

#### **APPOINTMENT OF TOWN SOLICITOR**

**MOTION by Ms. Alves and seconded by Mrs. Nadeau to nominate David V. Iglioizzi as the Town Solicitor.**

**MOTION by Mr. Alter and seconded by Mr. Zwolenski to nominate the firm of Ursillo & Teitz as the Town Solicitor.**

**Nominations were closed.**

**Roll call vote: Mr. Alter - Mr. Teitz; Ms. Alves - Mr. Iglioizzi; Mrs. Nadeau - Mr. Iglioizzi; Mr. Zwolenski - Mr. Iglioizzi; and Mr. Boucher - Mr. Iglioizzi. Mr. Iglioizzi is appointed Town Solicitor.**

#### **APPOINTMENT OF ASSISTANT TOWN SOLICITOR**

**MOTION by Mr. Zwolenski and seconded by Ms. Alves to nominate James Lombardi as the Assistant Town Solicitor.**

**MOTION by Mrs. Nadeau and seconded by Ms. Alves to nominate Stephen Archambault as the Assistant Town Solicitor.**

**MOTION by Mr. Boucher and seconded by Mrs. Nadeau to nominate Jon Brien as the Assistant Town Solicitor.**

**MOTION by Mr. Alter and seconded by Mr. Boucher and Mr. Zwolenski to nominate the firm of Ursillo & Teitz.**

**Nominations were closed.**

**Mr. Boucher withdrew his nomination of Jon Brien and Mrs. Nadeau withdrew her second.**

**Roll call vote on Mr. Lombardi: Mr. Alter - no; Ms. Alves - yes; Mrs. Nadeau - no; Mr. Zwolenski - yes; and Mr. Boucher - no. The motion failed 3 to 2.**

**Roll call vote on Mr. Archambault: Mr. Alter - no; Ms. Alves - no; Mrs. Nadeau - yes; Mr. Zwolenski - no; and Mr. Boucher - yes. The motion failed 3 to 2.**

**Roll call vote on the firm Ursillo & Teitz: Mr. Alter - yes; Ms. Alves - no; Mrs. Nadeau - no; Mr. Zwolenski - no; and Mr. Boucher - no. The motion failed 4 to 1.**

**MOTION by Mr. Zwolenski and seconded by Mr. Boucher to nominate James Lombardi as the Assistant Town Solicitor.**

**MOTION by Mr. Alter and seconded by Mrs. Nadeau to nominate Stephen Archambault as the Assistant Town Solicitor.**

**Nominations were closed.**

**Roll call vote on Mr. Lombardi: Mr. Alter - no; Ms. Alves yes; Mrs. Nadeau - no; Mr. Zwolenski - yes; and Mr. Boucher - no. The motion failed 3 to 2.**

**Roll call vote on Mr. Archambault: Mr. Alter - yes; Ms. Alves - no; Mrs. Nadeau - yes; Mr. Zwolenski - no; and Mr. Boucher - yes. The motion passed 3 to 2. Mr. Archambault is appointed Assistant Town Solicitor.**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on an aye vote at 9:17 P.M. to take a five-minute recess.**

**The meeting resumed at 9:27 P.M.**

### **NSTA CONTRACT RATIFICATION/FISCAL IMPACT**

**Under the new Charter amendments, the Budget Committee must certify the cost or savings of a proposed contract prior to a public hearing and prior to Town Council ratification.**

**Budget Committee Chairman Michael Clifford provided a document**

showing the amount of additional tax revenue needed to support a salary increase. Over the course of the next three years, the amount of additional tax revenue required to cover salaries, Medicare, pension costs and cumulative Fringe Benefits is \$3,185,123.

School Department Business Manager Lisa Marcotte also provided a fiscal impact statement. Mr. Clifford noted the following differences between the two statements: 1.) Ms. Marcotte's only addressed the added cost of the salary increase; it had nothing to do with step increases and 2.) The deductible reimbursement was included in the Budget Committee's statement but not in the School Department's statement.

Budget Committee member Michael Rapko added that these numbers are for the 158 teachers only and do not include the support staff or administration.

**MOTION** by Mr. Zwolenski, seconded by Mrs. Nadeau and Ms. Alves, and voted unanimously on a roll call vote at 9:58 P.M. to extend the meeting to 10:30 P.M.

Mr. Clifford argued that if the School Committee votes tomorrow night to approve this contract, it will be a detrimental blow to all the programs for students.

**MOTION** by Mr. Zwolenski and seconded by Mr. Boucher and Mr. Alter

that, through the Council president and the Town Solicitor, notice be sent to the School Committee that the Town Council is concerned about passage of any contract, when there is still eight months left on it, without knowing the ramifications of the total fiscal impact it will have.

The motion and seconds were ultimately withdrawn.

**MOTION** by Mr. Zwolenski, seconded by Mr. Alter, and voted unanimously on a roll call vote that the entire Town Council, through the Town Council president, send a letter to the elected School Committee Chairman that, if they are considering moving forward tomorrow evening with ratification of a teacher contract, they reconsider such action in order to avoid litigation.

#### **JOINT MEETING OF TOWN COUNCIL, BUDGET COMMITTEE AND SCHOOL COMMITTEE**

Mr. Clifford stated the Budget Committee would like to see this meeting happen. Everyone needs to be in the same room to hear the same information.

**MOTION** by Mrs. Nadeau, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to schedule a joint meeting of the Budget Committee, the Town Council and the School Committee, with a moderator pending, and to invite Mr. Walter Edge of Bacon and Edge, on February 9, 2015 at the North Smithfield Middle School.

**MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted at 10:28 P.M. on a roll call vote to extend the meeting to 10:45 P.M.**

**RESOLUTION REQUESTING FROM THE GENERAL ASSEMBLY THE NECESSARY LEGISLATION TO CONFIRM THE TOWN CHARTER CHANGES APPROVED BY TOWN VOTERS IN THE NOVEMBER 4, 2014 ELECTION**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to approve the following resolution: “WHEREAS, The Town Council of North Smithfield recommended Town Charter amendments and/or changes to be placed on the ballot for the voters of North Smithfield to decide and believe them to be in the best interest of the Town. WHEREAS, The Town Council of North Smithfield passed various Town Charter amendments and/or changes on April 21, 2014. WHEREAS, The voters of the Town of North Smithfield agreed with the amendments and/or changes by voting in the majority by referendum on November 4, 2014. NOW, THEREFORE, BE IT RESOLVED, that the Town of North Smithfield, hereby requests from the General Assembly the legislation necessary to enact the Town Charter changes that were approved by town voters in the November 4, 2014 election.”**

**APPOINTMENT OF TOWN CLERK**

**Ms. Hamilton nominated Debra Todd as the Town Clerk.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to accept the Administrator's appointment of Debra Todd as the Town Clerk.**

**MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted unanimously on an aye vote to adjourn at 10:33 P.M.**

**Respectfully submitted,**

**Debra A. Todd, Town Clerk**